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**IMPORTANT**

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**FACSIMILE COVER LETTER****Date:** October 8, 2002**To:** Examiner DeBERRY, Regina  
Art Unit 1647**Facsimile No.** 703-308-0294

Page 1 of 5

**From:** W. PLAYER

In re the Application of: STÄNDKER et al.

Serial No. 09/509,559

Group Art Unit: 1647

Filed: November 27, 2000

Examiner: DeBERRY, Regina

For: CADHERIN DERIVED GROWTH FACTOR AND ITS USE

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**Message**

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*As requested, attached are copies of the papers filed on August 2, 2002 as well as the PTO date stamped receipt card.*

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THIS COMMUNICATION IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THIS COMMUNICATION TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, COPYING, OR OTHER USE OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE. THANK YOU.

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Atty. Docket No.: P65315US0

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: STÄNDKER et al.

Serial No.: 09/509,559

Group Art Unit: 1647

Filed: November 27, 2000

Examiner: Regina M. DeBerry

For: CADHERIN DERIVED GROWTH FACTOR AND ITS USE

## TRANSMITTAL

Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

Sir:

Transmitted herewith is a Response in the above-captioned application.

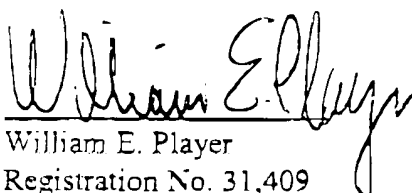
XX Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a statement previously submitted.

       A check in the amount of \$        is attached for:

XX If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)-(d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358.

JACOBSON HOLMAN PLLC  
400 Seventh Street, N. W.  
Washington, D.C. 20004-2201  
Atty. Dkt. No.: P65315US0  
Date: August 2, 2002  
WEP:rdt

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By:   
William E. Player  
Registration No. 31,409

Atty. Docket No.: P65315US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

STÄNDKER et al.

Serial No.: 09/509,559

Group Art Unit: 1647

Filed: November 27, 2000

Examiner: Regina M. DeBerry

For: CADHERIN DERIVED GROWTH FACTOR AND ITS USE

**RESPONSE**

Commissioner of Patents  
Washington, D.C. 20231

Sir:

Applicants submit the instant paper in response to the Office Action mailed July 2, 2002.

Pursuant to the restriction requirement under 35 U.S.C. 121, Applicants elect to prosecute the invention of Group I, claims 1-4, 9, 11, 12, and 14, with traverse. Traversal is maintained since Applicants consider the claims to form an overall generic concept of invention.

Pursuant to the requirement for election of species, Applicants elect as species SEQ ID NO: 10 (peptide OB-CDGF). Election is made with traverse, to the extent that the PTO cannot require dividing a proper generic claim based on a restriction or election of species requirement and, further, to the extent that, upon allowance of a generic claim, Applicants are entitled to claim a reasonable number of species in addition to the elected species.

Atty. Dkt. No. P65315US0

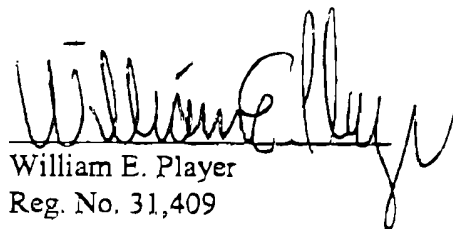
Serial No.: 09/509,559

Favorable action is requested.

Respectfully submitted,

JACOBSON-HOLMAN PLLC

By:

  
William E. Player  
Reg. No. 31,409

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Atty. Dkt. No.: P65315US0  
Date: August 2, 2002  
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JH Ref PL5315US0 Today's Date 8-2-02  
Serial/Patent No. 09/509,559  
Applicant, Patentee, Assignee STANDKER et al.  
Filing Date/Patent Date 11-27-00

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- ☐ \_\_\_\_\_ pp. Specification & \_\_\_\_\_ Claims ☒ Response to Office Action  
☐ Combined Declaration, Power of Attorney ☐ Disclosure Statement-IDS  
☐ Preliminary Amendment ☐ Copies of References  
☐ Rule 53 (b) Application ☐ Request for Refund  
☐ Rule 53 (d) /RCE Application ☐ Request for Corrected Filing Receipt  
☐ Claim to Priority and Certified Copy ☐ Petition for XOT  
☐ Substitute ☐ Subsequent Declaration ☐ Notice of Appeal/Brief  
☐ Maintenance Fee ☐ Sequence Listing  
☐ Drawings \_\_\_\_\_ Sheets \_\_\_\_\_ Formal \_\_\_\_\_ Informal ☐ Issue Fee Transmittal  
☐ Assignment/Change of Name ☐ Other \_\_\_\_\_  
☐ Small Entity Declaration  
☐ Check for \$ \_\_\_\_\_

JH 11/01

Person filing

DUE DATE

8-2-02  
THOMAS

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